



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/587,753	06/05/2000	Eric Davison	205236	7824

23460 7590 06/11/2003

LEYDIG VOIT & MAYER, LTD  
TWO PRUDENTIAL PLAZA, SUITE 4900  
180 NORTH STETSON AVENUE  
CHICAGO, IL 60601-6780

EXAMINER

LIM, KRISNA

ART UNIT PAPER NUMBER

2153

DATE MAILED: 06/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n No.

09/587,753

Applicant(s)

DAVISON ET AL.

Examiner

Krisna Lim

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the c rrespondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: .

Art Unit: 2153

1. Claims 1-35 are presented for examination.
2. The title of the invention is neither descriptive nor precise. A new title is required which should include, using twenty words or fewer, claimed features that differentiate the invention from the Prior Art. The title should reflect the gist of or the improvement of the present invention.
3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Man [U.S. Patent No. 5,710,908] in view of Applicants Admitted Prior Art (APA).
5. Man disclosed (e.g., see Figs. 1-11) the invention substantially as claimed. Taking claim 1 as an exemplary claim, the reference disclosed a computer-readable medium having computer-executable instructions for performing steps for directing data transfer in a computer having a plurality of transport modules, the steps comprising:
  - a) receiving transport specific data (data packet/ transmission packet) from an application (SNMP manager) (e.g., see col. 11, line 49-53; col. 14, lines 15-20);
  - b) determining at least one of the plurality of transport modules (protocol, protocol stack) with which the transport specific data is associated (e.g., via the protocol address mapping table, col. 12, lines 6-39; col. 14, lines 15-35);

Art Unit: 2153

c) passing (sending the data packet using the selected transport) the transport specific data to the at least one of the plurality of transport modules (e.g., col. 13, lines 42-50; col. 14, lines 15-35).

6. While Man disclosed that no information indicating a transmission protocol was required for the packet and the packet was protocol independent and a single interface was provided between an application program and all protocol stacks (e.g., col. 11, lines 53-57; col. 13, line 54, to col. 14, line 42), Man, however, did not explicitly mention the step of sending a transport independent interface to the application. However, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to recognize that such transport independent interface was given to the application in order to perform the other functions. Moreover, Man disclosed that SNMP agent (application) was returned a table of entry points that the SNMP agent used to call other PII routines when the PII is initialized. Thus, it would have been obvious that the application had a transport independent interface.

7. As to claim 2, APA disclosed an OBEX application (e.g., see page 1 of the specification).

8. As to claim 3, APA disclosed each of the plurality of transport modules has a transport protocol (e.g., see page 2, line 1-3, of the specification).

9. As to claim 4, APA disclosed at least one transport protocol is one of an IrDA protocol, an IP protocol, and Bluetooth protocol (e.g., see page 1, last 2 lines of the specification).

Art Unit: 2153

10. While Man disclosed the application as either the SNMP manager or SNMP agent, Man did not explicitly mention the OBEX application. Such OBEX application was clearly disclosed by APA as mentioned in paragraphs 7-9 above. Therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to obviously incorporate the teaching of APA into the Man's teaching in order to modify the SNMP manager or SNMP agent to perform the OBEX application functions.

11. As to claim 6, Man disclosed instructions for performing the step of initializing the at least one transport module (e.g., see col. 6, lines 57-60).

12. As to claims 7-11, neither Man nor APA explicitly detail how the transport interface comprising detail commands such as: initializing a transport, creating a connection, enumerating devices, enumerating properties, closing the transport, closing the connection, listening for incoming connection, etc. It would have been obvious of one of ordinary skilled in the art at the time the invention was made to recognize that such detail commands or operations would have bee a matter of programming choices for interface between two devices or systems.

13. Claims 12-35 are similar in scope as of claims 1-11, and therefore claims 12-35 are rejected for the same reasons set forth above for claims 1-11.

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

Art Unit: 2153

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Krisna Lim whose telephone number is (703) 305-9672. The examiner can normally be reached on Monday-Friday from 7:00 to 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Glenton Burgess, can be reached at (703) 305-4772. The fax phone numbers for the organization where this application or proceeding is assigned is as following:

(703) 746-4481 [Direct fax number]  
(703) 746-7238 [After Final Communication]

or

(703) 746-7239 [Official Communication]  
(703) 746-7240 [For Status inquiries, draft communication]

and/or

(703) 306-5631, (703) 306-5632 or (703) 306-5633 for [Customer Service Numbers]

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

All Internet e-mail communication will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirement of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Office Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

kl

June 7, 2003



KRISNA LIM  
PRIMARY EXAMINER